

MAR 28 2005

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**Request
for
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/152,992
Filing Date	September 14, 1998
First Named Inventor	Randi L. Black (aka Schindler)
Art Unit	Micael A. Brown
Examiner Name	3733
Attorney Docket Number	05-10022

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1996, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☒ Other Do Not Enter Any Previously Submitted Amendments After Final
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.
- a. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date <u>3-22-05</u>	March 22, 2005
Name (Print/Type)	David L. Hoffman	Registration No.	32,469

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date <u>3-28-05</u>
Name (Print/Type)	David L. Hoffman	Date <u>3-28-05</u>

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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To: U.S. Patent and Trademark Office

From: David L. Hoffman

MAIL STOP PETITIONS

Law Offices of David L. Hoffman

Fax: (703) 872-9306

Pages: 38

Phone: (703)

Date: March 28 2005

Re: Ser./Appl. No.: 09/152,992

EXAMINING ATTORNEY:

Filing Date: September 14, 1998

Group/Law Office: 114

Mark/Invention: PROSTHETIC DEVICE

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Sir or Madam:

Enclosed herewith is the following:

1. Request for Continued Examination (RCE) Transmittal;
2. USPTO Credit Card Payment Form re Filing Fee for Request for Continued Examination 37 CFR 1.17(e);
3. Petition for Extension of Time under 37 CFR 1.136(a) and USPTO Credit Card Payment Form re Filing Fee for Petition for Extension of Time under 37 CFR 1.136(a);
4. Renewed Petition to Revive Unintentionally Abandoned Application and Verified Response;
5. Amendment and Response;
6. Declaration of Randi L. Black in Support of Renewed Petition to Revive Under 37 CFR 1.137;
7. Combined Declaration and Power of Attorney;

March 24, 2005

8. Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address; and
9. Information Disclosure Statement, PTO 1449 Form and 2 cited references.

Certificate of Transmission:

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. (703) 872-9900 on March 28, 2005.


David L. Hoffman, Reg. No. 32,469

3/28/05